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# Committee on the Exercise of the Inalienable Rights of the Palestinian People

**Summary record of the 322nd meeting**
Held at Headquarters, New York, on Tuesday, 16 March 2010, at 3 p.m.

*Chair*: Mr. Badji ..... (Senegal)

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*The meeting was called to order at 3.20 p.m.*

**Adoption of the agenda**

1. *The agenda was adopted.*

**Update on developments since the previous meeting of the Committee**

2. **The Chair** said that on 27 January 2010 the Security Council had held an open debate on the situation in the Middle East, including the Palestinian question. He had made a statement on behalf of the Committee expressing particular concern at Israel's continuing settlement expansion. He had also expressed the Committee's support for the recommendations contained in the report of the United Nations Fact-Finding Mission on the Gaza Conflict (the Goldstone report) (A/HRC/12/48), and stated that the Committee encouraged principled action by the international community aimed at ensuring respect for the norms of international humanitarian law.

3. On 4 February, the Secretary-General had issued a report on follow-up to the report of the United Nations Fact-Finding Mission on the Gaza Conflict (A/64/651), stating that no determination could be made on the implementation by the parties concerned of the recommendations of the Mission.

4. On 12 and 13 February, the Committee had, in conjunction with the Parliamentary Assembly of the Mediterranean, convened the United Nations International Meeting in Support of Israeli-Palestinian Peace in Qawra, Malta.

5. On 18 February, the Under-Secretary-General for Political Affairs had briefed the Security Council on the situation in the Middle East, including the Palestinian question.

6. On 24 February, the Bureau of the Committee had issued a statement expressing serious concern at the Prime Minister of Israel's declared intention to include the Tomb of the Patriarchs (Al-Haram Al-Ibrahimi) in Hebron/Al-Khalil and Rachel's Tomb (Masjid Bilal or Qubbat Rahil) in Bethlehem, in the occupied West Bank, in a list of Israel's national heritage infrastructures.

7. On 26 February, the General Assembly had adopted its resolution 64/254 calling on the Secretary-General to submit in five months' time a further report on the implementation of the report of the United Nations Fact-Finding Mission on the Gaza Conflict.

8. On 8 March, the United States Department of State had announced the start of indirect Israeli-Palestinian discussions under the mediation of the United States Special Envoy for Middle East Peace.

9. On 9 March, the Secretary-General and the Vice-President of the United States, the latter during his visit to the region, had issued statements condemning Israel's approval of plans to build 1,600 new housing units in East Jerusalem. The Middle East Quartet had condemned the decision on 12 March.

10. He took it that the Committee wished to take note of that information.

11. *It was so decided.*

**The situation in the Occupied Palestinian Territory, including East Jerusalem, and developments in the political process** (A/ES-10/477-S/2010/97, A/ES-10/479-S/2010/122, A/ES-10/480-S/2010/128)

12. **The Chair** drew attention to three letters from the Permanent Observer of Palestine to the Secretary-General and the President of the Security Council (A/ES-10/477-S/2010/97, A/ES-10/479-S/2010/122, A/ES-10/480-S/2010/128), and to a fourth such letter dated 16 March 2010.

13. **Ms. Abdelhady-Nasser** (Observer for Palestine) said that the letters had sought to reflect the rapid developments that had taken place in the Occupied Palestinian Territory, including East Jerusalem. The open debate held in the Security Council on 27 January had highlighted three themes. First, there had been near unanimity in condemning the ongoing Israeli settlement activities and the illegal colonization in and around East Jerusalem. Second, it was imperative to end the illegal blockade of the Gaza Strip, where the situation was alarming. Third, the peace process must be salvaged and revived, and the two-State solution swiftly implemented.

14. The situation on the ground had continued to deteriorate. However, the adoption of General Assembly resolution 64/254 had shown a shift in support for the work of the United Nations Fact-Finding Mission. That shift indicated a growing condemnation of the war crimes perpetrated against the Palestinian people, and a recognition of the need for accountability and justice. The Palestinian side had

pledged to conduct a credible investigation into those violations in accordance with that resolution; it remained to be seen whether Israel would do the same.

15. The resolution reiterated the recommendation that the Government of Switzerland, in its capacity as depositary of the Geneva Convention relative to the Protection of Civilian Persons in Time of War should reconvene as soon as possible a Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory. She called on all Member States to respond positively to the efforts of the Swiss Government towards that end, as an essential step in upholding international humanitarian law.

16. In addition to the ongoing colonization activities, there had been a series of acts of provocation and incitement. The decision to include the holy sites in Al-Khalil (Hebron) and Bethlehem in the list of so-called Israeli national heritage infrastructures was one example. The Prime Minister of Israel had stated that Israel would never agree to withdraw from the Jordan valley. Such declarations, alongside other illegal actions, had led to unrest. They contravened the internationally accepted idea of a two-State solution.

17. The Palestinian leadership and the League of Arab States were prepared to give an opportunity to the United States proposal for indirect consultations. However, Israel had responded with aggressive and provocative actions. While the Palestinian side remained committed to the peace process, such policies and practices must cease comp' tely in order for it to resume. The international community should express to Israel its commitment to a peaceful settlement.

18. **Mr. Ali** (Malaysia) asked whether there had been any progress in reconciliation talks between Fatah and Hamas. He further asked for any information on initiatives for peaceful resistance, for instance through a boycott of settlement produce.

19. **Ms. Abdelhady-Nasser** (Observer for Palestine) said that the issue of reconciliation and unity was a priority for the Palestinian people and leadership. Efforts had not yet borne fruit, but would continue with the assistance of the Government of Egypt, the League of Arab States and other actors. The high-level Fatah official Nabil Shaath had held constructive meetings in the Gaza Strip. Such initiatives would contribute to the goal of reconciliation and the unity of Palestine as one geopolitical unit under the Palestinian Authority and President Mahmoud Abbas. The project of State-building and capacity-building would also continue, but could not replace the peace process.

20. Peaceful, non-violent resistance had taken place at the grass-roots level in villages such as Bil'in and Ni'lin, which had suffered as a result of the separation wall. By declaring those villages to be closed military zones for six months, Israel had signalled its intention to crush that resistance. Because the Palestinian market was captive to Israel and flooded with Israeli goods, it was difficult to import from or export to other countries. The Palestinian Authority had nevertheless decided to boycott settlement produce, which would no longer be sold in Palestinian shops.

21. **Mr. Whitley** (United Nations Relief and Works Agency for Palestine Refugees in the Near East) said that two high-level visits to the Gaza Strip would take place in the following days, the first by Lady Ashton, the European Union High Representative for Foreign and Security Policy, and the second by the Secretary-General of the United Nations. The fact that the Government of Israel had agreed to their entry had led to cautious hopes that the blockade might be slightly eased, thereby allowing construction projects to resume. Projects by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) amounting to some $93 million had been suspended. Although glass for windows had been allowed into the Gaza Strip, the metal window frames had not. Notwithstanding the ex gratia payment of $10.5 million from the Government of Israel, UNRWA had been unable to repair the damage to its premises sustained during Operation Cast Lead. Similarly, projects funded by Arab donors and begun five years previously had been halted for almost three.

22. The illegal tunnel economy continued to thrive, undermining legitimate businessmen and creating a new breed of entrepreneurs who owed their success partly to their links to the ruling party. Although many consumer goods were smuggled in from Egypt, poverty was growing and employment opportunities were lacking.

23. Electric power cuts of up to 12 hours a day were common, leading to a reliance on hazardous small generators. Less than 60 per cent of the cooking gas required on a weekly basis was being imported. The United Nations was in discussions with the

Government of Israel to launch water and sanitation projects, which were urgently needed.

24. Although minor skirmishes had taken place during limited Israeli incursions, there was relative calm. Casualties continued to rise, but at a slower pace than previously. Hamas continued to enforce a crackdown on more radical groups which were attempting to break the de facto ceasefire, and to exert its authority over more fundamentalist Islamist groups challenging its authority.

25. Developments in Jerusalem had raised questions about the status of East Jerusalem as occupied territory and the intended future capital of a Palestinian State. UNRWA accounted for the largest United Nations presence in Jerusalem, and the new Commissioner-General lived and worked out of that city. UNRWA was responsible for the social and economic well-being of 70,000 registered refugees in Jerusalem, some of whom lived in very difficult conditions.

**Report of the Vice-Chair on the United Nations International Meeting in Support of Israeli-Palestinian Peace, held in Malta on 12 and 13 February 2010**

26. **Mr. Núñez Mosquera** (Cuba), Vice-Chair, said that the purpose of the meeting had been to discuss the state of the Israeli-Palestinian peace process and to encourage constructive dialogue among parliamentarians on a political climate conducive to negotiations on permanent status issues. It had looked in particular at the role of parliamentarians and inter-parliamentary organizations in supporting Israeli-Palestinian peace and stability in the region.

27. The meeting had been attended by representatives of 30 Member States in addition to the Holy See and Palestine, as well as three intergovernmental organizations, seven inter-parliamentary organizations, two United Nations bodies and 14 civil society organizations. Attendees had also included 56 parliamentarians and a number of special guests and media representatives. Led by himself, the delegation representing the Committee had included the Rapporteur and the Permanent Observer for Palestine. Statements had been made by Mr. Tonio Borg, Deputy Prime Minister and Minister for Foreign Affairs of Malta, on behalf of the host country; the Assistant Secretary-General for Political Affairs, on behalf of the Secretary-General; Mr. Rudy Salles, President of the Parliamentary Assembly of the Mediterranean, on behalf of the co-organizer; himself, on behalf of the Committee; and Mr. Tayseer Quba'a, Deputy Speaker of the Palestinian National Council, on behalf of the President of the Palestinian Authority.

28. Following the opening session, statements had been made at the high-level segment by Mr. Ahmed Fathi Sorour, President of the Egyptian People's Assembly, and Mr. Cemil Çiçek, Deputy Prime Minister and Minister of State of Turkey.

29. At the plenary sessions, 19 experts, including Palestinian and Israeli speakers, had given presentations. Concerning the state of the peace process, discussions in the first plenary session had included assessments of the overall situation and the terms of reference for the permanent status issues: borders, Jerusalem, settlements, refugees and water. The second plenary session, entitled "Breaking the status quo: creating a political climate conducive to the advancement of the peace process", had explored international and regional promotion of a solution to the Israeli-Palestinian conflict and ways to bridge gaps and build trust between the parties.

30. In their concluding remarks at the end of the International Meeting, the organizers had taken note of the call by the participants for the parties to resume negotiations immediately, within an agreed time frame, leading to the resolution of the permanent status issues.

31. Appreciating the participants' commitment to achieving a permanent two-State solution, the organizers had reiterated that settlements and the separation wall had been built on occupied Palestinian land and that house demolitions and evictions were illegal and an obstacle to peace, making a two-State solution impossible. They had expressed the hope that the freeze on settlement expansion would be comprehensive, extended to East Jerusalem and retained indefinitely. They had supported the international community's refusal to recognize changes to the pre-1967 borders, including with regard to occupied Jerusalem, other than those agreed by the parties, and had endorsed the view that justice for Palestine refugees and the Palestinian people encompassed recompense and recourse for the wrongs inflicted upon them under occupation. They had welcomed the emphasis put on the need for a just solution to the question of water.

32. The organizers had encouraged inter-parliamentary organizations to develop closer cooperation among themselves, with Israeli and Palestinian lawmakers and with the United Nations, to support a comprehensive, just and lasting peace in the region, including a peaceful settlement of the question of Palestine.

33. The Committee delegation had been received by Mr. Tonio Borg and by the Standing Committee on Foreign and European Affairs of the House of Representatives of Malta. At those meetings, he had expressed the hope that through its joint venture with the Parliamentary Assembly of the Mediterranean, the Committee would be able to reach out to a large number of parliamentarians in the Mediterranean region and beyond, to encourage them to stay involved in international efforts to achieve a just solution of the Israeli-Palestinian conflict.

34. **Mr. Ali** (Malaysia) commended the Committee on its outreach efforts to parliamentarians, and asked if there were further plans for similar outreach efforts, particularly with those of the host country.

35. **The Chair** said that invitations to contribute to the Committee's efforts had been and would continue to be extended to parliamentarians, officials and representatives of civil society of all countries and inter-parliamentary organizations. He noted that in the past United States and Israeli legislators had participated in the Committee's endeavours in an unofficial capacity.

36. **Mr. Borg** (Malta) said that, in its efforts to reach out to parliamentarians, the Committee had been encouraged by the attendance of 56 legislators at the International Meeting in Malta. It had also welcomed the address by the United States Ambassador to Malta, Mr. Douglas W. Kmiec.

37. *The Committee took note of the report of the Vice-Chair.*

**United Nations Seminar on Assistance to the Palestinian People, and the Meeting of Civil Society in Support of the Palestinian People, to be held at the United Nations Office at Vienna from 24 to 26 March 2010**

38. **The Chair** drew attention to working paper No. 2, containing the provisional programme for the Seminar. The aim of the Seminar was to raise awareness of the programme of the Palestinian Authority, to end the occupation and to establish the Palestinian State, mobilizing efforts on its behalf, to assess the socio-economic situation in the Occupied Palestinian Territory, to highlight the urgency of bringing relief and reconstruction to the Gaza Strip, to advance the Palestinian State-building agenda and to mobilize international assistance in support of the Palestinian economy. The Meeting would examine civil society actions against the separation wall in the Occupied West Bank.

39. **The Chair** said that the Committee would be represented by Mr. Tanin (Afghanistan) and Mr. Núñez Mosquera (Cuba), Vice-Chairs; Mr. Borg (Malta), Rapporteur; Mr. Hadjimichael (Cyprus); Mr. Mansour (Observer for Palestine); and himself.

40. *The provisional programme of the United Nations Seminar on Assistance to the Palestinian People and the United Nations Meeting of Civil Society in Support of the Palestinian People was adopted.*

**Accreditation of non-governmental organizations with the Committee**

41. **The Chair** drew the attention of Committee members to working paper No. 3, containing applications from two non-governmental organizations that wished to be accredited to the Committee. The Bureau had reviewed the applications and found that the organizations concerned met the established criteria for accreditation. The Bureau therefore recommended that they should be accredited. He took it that the Committee wished to approve the applications before it and accredit the organizations concerned.

42. *It was so decided.*

*The meeting rose at 4.35 p.m.*